

# **Code of Conduct for Church Personnel of the Archdiocese of Baltimore**

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## Introduction

*Conduct yourselves in a way worthy of the gospel of Christ so that, whether I come and see you or am absent, I may hear news of you, that you are standing firm in one spirit, with one mind struggling together for the faith of the gospel.*

### Philippians 1:27

Paul's challenge to the Church at Philippi rings true in our Church today. As church personnel in the Archdiocese of Baltimore, we too must conduct ourselves in a way that is "worthy of the gospel of Christ." We are further challenged in this letter to the Philippians to do "whatever is true, whatever is honorable, whatever is just, whatever is pure, whatever is lovely, whatever is gracious" (Phil 4:8). We are called both to **be** people of virtue, and to **act** in ways that are consistent with gospel principles.

Every day in the Archdiocese of Baltimore, ministers of the gospel faithfully invite people to experience fullness of life in Christ. Church personnel by the grace of God lead people in prayer and the celebration of the sacraments, educate and form adults and children in the Catholic faith, provide outreach to the poor and marginalized, administer and care for buildings and properties, and strive to live holy and virtuous lives. This *Code of Conduct for Church Personnel of the Archdiocese of Baltimore* aims at providing clear expectations and guidelines for their work.

The *Code of Conduct for Church Personnel* provides core expectations for all church personnel in parishes, schools, institutions, programs, and ministries subject to the control under civil law of the Archdiocese of Baltimore (with the exception of Catholic Charities which has its own policies). For the purposes of this *Code*, the term "church personnel" includes bishops, priests and deacons with faculties to function in this archdiocese, seminarians of the Archdiocese, seminarians studying in the Archdiocese and those enrolled in the Permanent Diaconate Formation program, men and women religious working in the Archdiocese, lay ecclesial ministers, employees, and volunteers. While we recognize that there are many levels of supervision in parishes, schools and institutions, for the purpose of this *Code* the term "supervisors" refers to the recognized leader of the institution (eg: pastor, pastoral life director, principal, or Central Services director). The *Code* addresses the character of church personnel, as well as the principles and expectations that guide their efforts.

There are certain core principles and expectations that apply to all church personnel. There are also principles and expectations that are role-specific. For example, all church personnel are committed to the best interests of others. This is a core expectation. This expectation applies to all church personnel: the youth minister or the parish priest, the volunteer catechist or the school principal, the parish accountant or the volunteer cantor. In short, it applies to anyone who has a role, volunteer or professional, in the parish. While all church personnel share in this core expectation, there are also role-specific expectations. For example, the parish accountant has a role-specific expectation to comply with generally accepted accounting principles. A priest has a role-specific expectation to honor the seal of confession.

There are four core principles that provide the basis for the *Code of Conduct for Church Personnel*. They are:

- *Church personnel are expected to represent the Church in faithful, authentic and loving ways.*
- *Church personnel are expected to seek and maintain competency in areas in which they are exercising their roles.*
- *Church personnel are expected to foster the dignity of each person and be committed to the best interests of others.*
- *Church personnel are duty bound to hold one another accountable to conduct and standards appropriate to their respective roles.*

The *Code of Conduct for Church Personnel* is richer because it has been informed by the best practices of clergy, lay ecclesial ministers, educators, religious, volunteers and other church personnel. These practitioners truly do conduct themselves in a “way worthy of the gospel of Christ.” The *Code* sets expectations for church personnel in the Archdiocese of Baltimore. These expectations will help to enhance ministry and service in the Archdiocese of Baltimore. And so, “to this end, we always pray for you, that our God may make you worthy of his calling and powerfully bring to fulfillment every good purpose and every effort of faith, that the name of our Lord Jesus may be glorified in you, and you in him, in accord with the grace of our God and Lord Jesus Christ.” (2 Thessalonians 1:11-12)

## **1.0**

### **Pastoral Standards for Church Personnel**

#### **1.1 Core Principle 1: Church personnel are expected to represent the Church in faithful, authentic and loving ways.**

- 1.1.1** Church personnel should conduct themselves in such a way that a person's life provides authentic witness to gospel values.
- 1.1.2** Those charged with handing on the faith must teach, preach, counsel and provide vision in accord with the Church's doctrinal, moral and spiritual tradition.
- 1.1.3** Church personnel in ministry should be persons of virtue willing to extend themselves to another in the name of Christ.
- 1.1.4** Those who represent the Church must do so in a way that is consistent with the Church's tradition.

#### **1.2 Core Principle 2: Church personnel are expected to seek and maintain competency in subject areas in which they are exercising their roles.**

- 1.2.1** Church personnel must not act beyond their competence and shall advise individuals to seek other appropriate professional support when necessary.
- 1.2.2** Church personnel shall seek the training, certification or credentials necessary to perform their work.
- 1.2.3** Church personnel must have the theological competence necessary for their roles.
- 1.2.4** Church personnel seek guidance from their supervisors as to what is expected of them in the performance of their roles, how to conform to Archdiocesan policies and how well their performance meets expectations.

#### **1.3 Core Principle 3: Church personnel are expected to foster the dignity of each person and be committed to the best interests of others.**

- 1.3.1** Church personnel should be mindful of the power in relationships: both the power to do great good and the power to cause harm.
- 1.3.2** Church personnel who are in positions where they receive privileged access to information should respect appropriate levels of confidentiality.
- 1.3.3** Church personnel should maintain appropriate boundaries in relationships.

- 1.3.4 Church personnel should be familiar with and support the *Statement of Policy for the Protection of Children and Youth*, and fully comply with state and Archdiocesan reporting requirements.
  - 1.3.5 Church personnel should be familiar with and support the Archdiocesan policies prohibiting harassment. (Harassment Policy Appendix A, Schools Harassment Policy Appendix B)
  - 1.3.6 Church personnel shall be mindful of the dignity of all individuals, paying particular attention to the marginalized among us especially those with intellectual or physical disabilities, the very young and the frail elderly, the poor among us, and other special populations that may need advocacy.
  - 1.3.7 Church personnel should perform their duties and responsibilities in good faith and avoid even the appearance of a conflict of interest.
- 1.4 Core Principle 4: Church personnel are duty bound to hold one another accountable to conduct and standards appropriate to their respective roles.**
- 1.4.1 Church personnel have the obligation to hold accountable those church personnel who do harm or cause scandal to the community.
  - 1.4.2 Church personnel must observe the standards of competencies, ethics, and codes of conduct established in their fields.
  - 1.4.3 Church personnel in positions of authority must screen and supervise staff and volunteers so that they are competent for the tasks required of them and their behavior is appropriate.
  - 1.4.4 Supervisors must be trained in supervisory skills, including the use of progressive discipline techniques. (Appendix C)
  - 1.4.5 Church personnel who fail or refuse to comply with this *Code of Conduct for Church Personnel* are subject to disciplinary action up to and including termination of employment or removal from volunteer service or pastoral assignment. Supervisors shall notify the appropriate Archdiocesan authority of serious violations of this *Code of Conduct for Church Personnel of the Archdiocese of Baltimore*.

## **2.0**

### **Pastoral Counseling, Spiritual Direction, or Guidance**

*Those providing pastoral counseling, spiritual direction or guidance must respect the rights and advance the welfare of each person.*

- 2.1** Those who are licensed pastoral counselors or certified spiritual directors shall perform duties within the scope of their professional certification and/or licensure.
- 2.2** Those providing pastoral counseling, spiritual direction or guidance shall not act beyond their competence in counseling situations and shall advise clients to seek other professional assistance when appropriate.
- 2.3** Those providing pastoral counseling, spiritual direction, or guidance assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
- 2.4** Those providing pastoral counseling, spiritual direction or guidance should evaluate the appropriateness of entering into an ongoing counseling/direction/guidance relationship with someone with whom they have a pre-existing relationship (i.e. employee, professional colleague, friend, or other pre-existing relationship). Dual relationships (interactions with another person in more than one capacity) call for particular vigilance and prudence.
- 2.5** Physical contact should be respectful and consistent with the intent to provide a safe, appropriate and comfortable counseling environment.
- 2.6** Those providing pastoral counseling, spiritual direction or guidance must never engage in sexual intimacies with persons they counsel. This includes consensual and non-consensual sexualized contact, unwelcome physical contact, and suggestive or offensive sexual comments or gestures.
- 2.7** Sessions should be conducted in appropriate settings at appropriate times respecting the vulnerabilities of parties concerned, and the perceptions of others.
- 2.8** Information obtained in the course of sessions with adults shall be confidential, except for compelling professional reasons or as required by law.
  - 2.8.1** If there is clear and imminent danger to the client or to others, those providing pastoral counseling, spiritual direction or guidance shall disclose the information necessary to protect the parties affected and to prevent harm.
  - 2.8.2** Suspected child abuse or neglect must be reported to civil authorities in accordance with Maryland law.
- 2.9** Those providing pastoral counseling, spiritual direction, or guidance to minors must:

- 2.9.1** Inform parent, guardian, or appropriate authority when the minor's health or safety is involved or when the minor poses a threat to the safety or well-being of self or another.
  - 2.9.2** Report suspected child abuse or neglect to civil authorities in accordance with Maryland law.
- 2.10** Those providing pastoral counseling, spiritual direction or guidance shall clearly explain as soon as possible the nature of confidentiality and its limitations with each person.
- 2.11** Knowledge that arises from professional contact may be used in teaching, writing, homilies or other public presentations only when effective measures are taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.
- 2.12** Absolute confidentiality is required with regard to information acquired in the Sacrament of Reconciliation. "The Sacramental Seal is inviolable; therefore it is absolutely forbidden for a confessor to betray in anyway a penitent in words or in any manner and for any reason."<sup>1</sup>
- 2.13** Church personnel should report to a supervisor or the appropriate Archdiocesan authority any violation of this section of the *Code*.

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<sup>1</sup>Code of Canon Law, Canon 983

### **3.0**

## **Conduct with Minors**

*Church personnel who interact with minors (persons under the age of 18) shall promote open and trustworthy relationships between minors and adults.*

- 3.1** Church personnel who work with a minor shall have training appropriate to their level of responsibility. Church personnel shall seek and receive archdiocesan approved training regarding appropriate boundaries and conduct with minors.
- 3.2** Appropriate conduct and interactions between church personnel and a minor can contribute to a minor's development and is a positive part of Church and ministry.
- 3.3** Inappropriate conduct and interactions between church personnel and a minor can cause harm to a minor's development and well-being, and shall never occur. Appropriate boundaries must be established and respected. Church personnel may not engage in sexual or inappropriate physical contact with a minor. Sexualized touch is never appropriate. Any interaction with a minor that is a "secret" is not appropriate.
- 3.4** Church personnel who work with a minor shall be aware that physical contact can be misconstrued. Church personnel shall be aware of a minor's vulnerability as well as their own.
- 3.5** Church personnel shall never physically discipline a minor.
- 3.6** Church personnel shall avoid working alone with a minor. Adequate staffing shall be available to manage emergency situations. Great care shall be taken to ensure that a safe environment is provided at all times, but most especially on those rare occasions when it is necessary to work alone with a minor.
- 3.7** Church personnel shall not drive alone with a minor.
- 3.8** Church personnel shall never provide a minor with alcohol, illegal drugs, tobacco products, pornography or other inappropriate material.
- 3.9** Church personnel shall never send inappropriate electronic communications to a minor. Electronic communications with a minor shall be parish/school related and never be hidden from parents or others.
- 3.10** Communications and/or information displayed or shared by church personnel with a minor through social media must be consistent with the values and teachings of the Church and readily accessible to parents and guardians as well as supervisors.



- 3.11** It is inappropriate for an adult to share a bed or a tent with a minor when on a trip. Sharing a bedroom, other than a large group dormitory style room, must be avoided. Exceptions can be made for a parent or guardian who requests to room with his or her child.
- 3.12** Church personnel shall not give significant gifts or grant special privileges or opportunities to a specific minor.
- 3.13** Church personnel shall not accept expensive gifts from a minor or a minor's parent or guardian.
- 3.14** Church personnel shall act responsibly in respecting private information received about a child. Information should be shared on a "need to know basis" or with permission. Information provided on permission forms shall be viewed or disclosed by church personnel only on a "need to know basis" or with permission.
- 3.15** Church personnel shall not (a) illegally possess and/or use alcohol or drugs at any time, and (b) use alcohol or tobacco when working with a minor.
- 3.16** Designated living quarters of priests and religious are exclusively for their use. It is permissible for close family members who are minors, with the consent of their parent or guardian, to have occasional overnight visits. Other minors are permitted to visit overnight only when accompanied by his or her parent or guardian.
- 3.17** The Archdiocese of Baltimore strictly complies with Maryland laws requiring reporting suspected child abuse to civil authorities. Under Maryland law any person who has reason to believe a child has been subjected to abuse (sexual or physical abuse) must report the suspected abuse to civil authorities, even if the potential victim is now over 18 years old and even in cases where the alleged perpetrator is deceased. If someone associated with the Church, including clergy, employees, or volunteers in the Archdiocese of Baltimore, is suspected of abuse, the suspected abuse must also be reported to the Archdiocese of Baltimore's Office of Child and Youth Protection. The report should include as many particulars as possible, such as time and place and persons involved or informed.
- 3.18** Church personnel who have reason to believe a child has been subjected to misconduct by church personnel or have observed church personnel engage in inappropriate conduct or in an inappropriate interaction with a minor must immediately notify the Archdiocese of Baltimore's Office of Child and Youth Protection. The report should include as many particulars as possible, such as time and place and persons involved or informed.
- 3.19** Church personnel must comply with all federal and state reporting laws regarding the reporting of child pornography. Church personnel who have reason to believe that any other church personnel are in possession of child pornography or have produced, exhibited, or distributed child pornography must immediately notify the Archdiocese of Baltimore's Office of Child and Youth Protection. The report should include as many particulars as possible, such as time and place and persons involved or informed.

## **4.0**

### **Sexual Conduct**

*Church personnel are called to uphold the moral virtue of chastity.<sup>2</sup>*

- 4.1** Church personnel must avoid developing intimate relationships that are inappropriate and/or not in keeping with their state in life or vocation.
- 4.2** Church personnel must not exploit the trust placed in them by the faith community for sexual gain or intimacy.
- 4.3** Church personnel, because they are in positions of power or authority, must be particularly careful to avoid sexual misconduct, including the possession or distribution of pornography in the workplace. Church personnel should avoid even the appearance of sexual misconduct.
- 4.4** Church personnel should report to a supervisor or the Director of Human Resource Services any violation of this section of the Code that may seriously and publicly violate the official teaching of the Catholic Church.

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<sup>2</sup> "Chastity means the integration of sexuality within the person." (Catechism of the Catholic Church [CCC] 2395) The Church does not equate, in the way some secular definitions do, celibacy with chastity. Rather, "all the baptized are called to chastity." (CCC 2348) Each is to live a lifestyle appropriate to his/her vocation. It is God's grace that empowers us to uphold the virtue of chastity, enabling us to regulate sexual desires and actions. The Christian faithful, by living a chaste life, are able to see others as having value. They see the dignity of another, not seeing others as simply a sexual object. For example, a married person who lives chastely lives in fidelity to his or her spouse, seeking always the good of the spouse and family over personal wants and desires.

## **5.0 Harassment**

*Church personnel must not engage in physical, written, or verbal harassment of staff, volunteers, or parishioners and must not tolerate such harassment by others.*

- 5.1** Church personnel shall provide a professional work or school environment that is free from physical, written, or verbal intimidation or harassment.
- 5.2** Harassment means verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, gender, national origin, religion, age, disability or handicap, including without limitation the following:
- Physical or mental abuse
  - Racial or ethnic insults or slurs or jokes
  - Unwelcome sexual advances or touching
  - Sexual comments or sexual jokes
  - Derogatory comments about a person's sexual orientation
  - Sexually demeaning comments
  - Requests for sexual favors used as a condition of employment or to affect other decisions, such as promotion or compensation or academic advancement
  - Display of offensive materials
- 5.3** Harassment can be a single incident or a persistent pattern of behavior in which the purpose or the effect is to create a hostile, offensive, or intimidating environment.
- 5.4** The Archdiocese of Baltimore has comprehensive harassment policies (workplace \_ Appendix A, Catholic Schools \_ Appendix B). Archdiocesan policies and procedures will be followed to protect the rights of all involved.
- 5.5** Allegations of harassment should be taken seriously and reported immediately to the supervisor, the Department of Human Resources (in the case of employees and volunteers), or the Division of Catholic Schools (in the case of students).

## **6.0**

### **Organizational Records and Information**

*Church personnel should take great care in creating, storing, accessing, transferring and disposing of records and information.*

#### **Sacramental Records**

- 6.1** Information found in sacramental records is to be used for purposes that promote or conform to the mission of the Catholic Church.
- 6.2** Those requesting access to, or information found in, the sacramental records ordinarily must establish that the record sought concerns their personal status. Moreover, the document in question must be of its nature a public document.<sup>3</sup> Finally, the person requesting the information must verify that the information will be used for purposes that promote or conform to the mission of the Catholic Church and will not be utilized for civil or criminal litigation of any kind.
- 6.3** Sacramental records older than 100 years will be considered historical documents. As such, they may be open to the public.
  - 6.3.1** Information regarding adoption and legitimacy remains confidential, regardless of the age of the document in question.
  - 6.3.2** Any information contained in historical documents that appears to require continued protection of confidentiality despite the age of the document will not be divulged for public use.
- 6.4** The pastor or pastoral life director should take great care in safeguarding the confidential information found in the records.

#### **Financial Records**

- 6.5** Great care should be taken to protect the organization's and an individual's financial records. Access to these records should be controlled by the pastor, pastoral life director, principal or administrator and be granted on a "need to know" basis.
- 6.6** Church personnel shall follow applicable financial and administrative policies of the Archdiocese of Baltimore with regard to records.
- 6.7** Good stewardship requires that there be appropriate financial reporting provided to the community being served.

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<sup>3</sup> Canon 487

- 6.8** Contributions, fees, and payments for services should be recorded in a timely manner with monies deposited in the appropriate account.

#### **Other Records**

- 6.9** Other confidential records (e.g. educational records, personnel files, medical information, health insurance information) shall be maintained, used and disclosed in accordance with applicable federal, state, and local laws and Archdiocesan policies.

#### **Violations**

- 6.10** Church personnel should report to a supervisor or the appropriate Archdiocesan authority any violation of this section of the *Code*.

## **7.0**

### **Computer/Internet Use**

*Use of computers and internet connectivity should be consistent with the mission of the Church.*

- 7.1** In their use of computers, equipment and other related resources maintained by an Archdiocesan entity, church personnel must respect the privacy of other users, respect copyright and license agreements, protect data from unauthorized use or disclosure, and safeguard their accounts and passwords.
- 7.2** In their use of computers, equipment and other related resources maintained by an Archdiocesan entity, church personnel must not use them for any illegal purpose. They must not transmit threatening, obscene or harassing materials or correspondence.
- 7.3** In their use of computers, equipment and other related resources maintained by an Archdiocesan entity, church personnel must not engage in unauthorized distribution of data and information. They must also refrain from revealing or publicizing proprietary or confidential information.
- 7.4** In their use of computers, equipment and other related resources maintained by an Archdiocesan entity, church personnel must not interfere with or disrupt network users, services or equipment.
- 7.5** In their use of computers, equipment and other related resources maintained by an Archdiocesan entity, church personnel must not advocate religious beliefs or practices contrary to Roman Catholic teaching. They must refrain from inappropriately representing opinions as those of the Archdiocese of Baltimore.
- 7.6** In their use of computers, equipment and other related resources maintained by an Archdiocesan entity, church personnel must be familiar with the Computer Use and Internet Policy of the Archdiocese of Baltimore, (Appendix D) as a standard, and discuss with their supervisor the policy for their site.
- 7.7** Instances of computer misuse should be reported to the supervisor or the appropriate Archdiocesan authority. Questions about appropriate or inappropriate use should be addressed to the Director of Information Technology.

## **8.0**

### **Conflicts of Interest**

*Church personnel should avoid situations in which their church roles conflict or give the appearance of conflicting with their professional, personal, or financial interests.*

- 8.1** For purposes of this *Code*, the term "conflict of interest" is applicable when an employee's or volunteer's business, firm or corporation is in a position to benefit financially from his or her dealings with the church.
- 8.2** Church personnel shall disclose to supervisors all relevant factors that could create a conflict of interest.
- 8.3** Church personnel shall inform all parties when an actual or potential conflict of interest arises. Resolutions of the issues must protect the person receiving services.
- 8.4** Instances of actual or potential conflicts of interest must be reported to the supervisor or to the appropriate Archdiocesan authority.

## **9.0**

### **Dignity in the Workplace**

*Church personnel shall treat one another justly and with dignity in the day-to-day administrative operations of their work.*

- 9.1** Personnel decisions and other administrative decisions made by church personnel shall meet civil and canon law obligations and also reflect Catholic social teachings and this *Code of Conduct for Church Personnel*.
- 9.2** Church personnel shall not use their positions to exercise inappropriate power and authority.
- 9.3** Church personnel shall treat one another with respect and civility.
- 9.4** Church personnel who threaten or inflict physical harm should be reported to the appropriate authority.
- 9.5** Church personnel should report violations of this section to the supervisor or the appropriate Archdiocesan authority.



## **10.0**

### **Well-Being of Church Personnel**

*Church personnel should be mindful of their own well-being, as well as the well-being of others.*

- 10.1** Church personnel shall be mindful of their own spiritual, physical, mental and emotional health, and supportive of those things that contribute to the well-being of other church personnel.
- 10.2** Church personnel should seek appropriate help when they become aware of warning signs of declining spiritual, physical, mental, or emotional well-being in themselves.
- 10.3** Church personnel should be attentive to their own spiritual needs, and seek opportunities to grow in the spiritual life.
- 10.4** Church personnel should strive to live a healthy and well-balanced life.
- 10.5** Church personnel should care for the well-being of each other.

## 11.0

### **The Church's Pastoral Response to Allegations of Misconduct**

*Supervisors need to act on allegations of misconduct.*

- 11.1** Supervisors will take all allegations of misconduct seriously and will immediately and thoroughly investigate all concerns. Investigations will be conducted with the guidance of the appropriate Archdiocesan official and will follow all Archdiocesan procedures and applicable Church and State law.
- 11.2** The Supervisor will respond immediately and effectively to deal with any accusation of misconduct brought against church personnel. The obligation to investigate an allegation is in no way a judgment of the person being accused. It is always important for all members of the Church to be sensitive to the needs and feelings of those who allege misconduct as well as of those accused.
- 11.3** Under Maryland law any person who has reason to believe a child has been subjected to abuse must report the suspected abuse to civil authorities, even if the potential victim is now over 18 years old and even in cases where the alleged perpetrator is deceased. If someone associated with the Church, including clergy, employees, or volunteers in the Archdiocese of Baltimore, is suspected of abuse, then the suspected abuse must also be reported to the Archdiocese's Office of Child and Youth Protection.

Church personnel must comply with all federal and state reporting laws regarding the reporting of child pornography. Church personnel who have reason to believe that any other church personnel are in possession of child pornography or have produced, exhibited or distributed child pornography must immediately notify the Archdiocese of Baltimore's Office of Child and Youth Protection.

As appropriate, those making reports will be advised of their right to report to civil authorities and encouraged to do so.

Church personnel who observe inappropriate contact or interaction with minors must report it immediately to a supervisor and to the Archdiocese of Baltimore's Office of Child and Youth Protection.

Any report made to the Archdiocese of Baltimore's Office of Child and Youth Protection should include as many particulars as possible, such as time and place and persons involved or informed.

All church personnel will be familiar with *A Statement of Policy for the Protection of Children and Youth*.

- 11.4** Church personnel who have notice of or well-founded motives to believe that a member of the clergy or a member of a religious order has engaged in any of the following misconduct must report the misconduct immediately to the Chancellor of the Archdiocese of Baltimore, or in her absence, the Archdiocese of Baltimore's Director of

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Clergy Personnel, who will immediately notify the Chancellor.

- Forcing an adult, by violence or threat or through abuse of authority, to perform or submit to sexual acts;
- Performing sexual acts with a vulnerable person<sup>1</sup> or recruiting or inducing a vulnerable person to participate in pornographic exhibitions;
- Interfering with a civil or canonical investigation of a member of the clergy or a member of a religious order for any of the above acts of misconduct or for any act of child abuse or misconduct with a minor, including the possession, distribution, exhibition, or production of child pornography.

The report should include as many particulars of the circumstances of the misconduct as possible, such as time and place and persons involved or informed.

The Chancellor will comply with all applicable civil laws with respect to making reports to civil authorities.

The Chancellor will ensure that the misconduct is reported to the diocese where the misconduct is said to have occurred, as well as to the appropriate Major Superior or Bishop of the person reported. In addition, if the report concerns misconduct by a bishop, the Chancellor will ensure that it is reported to the Holy See and to the Metropolitan Archbishop of the diocese where the reported bishop is domiciled.

Any person wishing to report misconduct by a bishop is encouraged to make the report via the third-party reporting system at [www.reportbishopabuse.org](http://www.reportbishopabuse.org).

There shall be no retaliation, discrimination, or adverse employment action against Church personnel who, in good faith, make a report of misconduct under this section or section 11.3. Any person who suspects any such retaliation shall immediately report it to the Archdiocese of Baltimore's Director of Human Resource Services. Adverse employment action may be warranted on the basis of a factor other than making the report.

- 11.5** In all cases of harassment refer to the Archdiocese of Baltimore Harassment Policy (Appendix A). For additional information or direction contact the Director of the Division of Human Resource Services.
- 11.6** In cases of harassment in schools, refer to the Harassment Policy in the Catholic Schools Policy Manual (Appendix B). For directions on how to proceed, contact the school principal or the Superintendent of Catholic Schools, or the Director of Human Resource Services.
- 11.7** In cases of financial mismanagement contact the Executive Director of Management Services or the Manager of Internal Audit Review.

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<sup>1</sup> "Vulnerable person" means any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty, which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offense.

- 11.8** Church personnel who suspect misconduct are encouraged to speak with their supervisor or, if they prefer, to an appropriate Archdiocesan office.
- 11.9** When investigating allegations of misconduct, a supervisor should be guided by the following values:
- The safety and protection of the community
  - An unbiased and earnest search for the truth
  - The need to provide appropriate outreach to victims
  - The need to uphold civil and canon law
  - The right of all persons to be treated fairly
  - The right of a person to be protected from unwarranted damage to his/her reputation
  - The need to comply with Archdiocesan policies and procedures
  - The need to maintain and disclose documentation as appropriate
  - The need to make any required report(s) in a timely manner
  - The need to provide for the well-being of the community impacted by the misconduct
- 11.10** When misconduct has occurred, discipline or corrective action taken with respect to the accused should be documented in the appropriate personnel file.
- 11.11** Appropriate care should be offered to the victims of misconduct, including spiritual assistance and medical or psychological assistance, as required by the specific case. An obligation to keep silent will not be imposed on any person with regard to the contents of his or her report of sexual misconduct or interference with an investigation.
- 11.12** Appropriate pastoral care should be recommended to the one accused of misconduct.
- 11.13** The good name and privacy of the persons involved in a report of misconduct, as well as the confidentiality of their personal data, shall be protected. Personal information will only be shared as necessary, for example in order to comply with civil reporting laws, investigations, and the internal reporting requirements of this Code of Conduct or *A Statement of Policy for the Protection of Children and Youth*.
- 11.14** Appropriate pastoral care should be extended to the community impacted by misconduct.

## **Conclusion**

When church personnel represent the Church in faithful, authentic, and loving ways, others have their eyes opened to the beauty, wisdom and tradition of Church teaching. When church personnel seek and maintain the competency necessary to exercise their roles, we can have confidence that people are receiving the best we can offer. When church personnel foster the dignity of each person, and the best interest of others, people grow in insight as to who we are, what we believe, and how we live. And when church personnel live up to their duty of holding one another accountable to conduct and standards, we have the opportunity to meet challenges, correct wrongs, protect the community, and assist in helping the one who is falling short.

The strength of the Archdiocese of Baltimore can be found in the message of the Gospel and the church personnel who proclaim it in word and deed. They say along with St. Paul, "imitate me as I imitate Christ." Church personnel by actions, in what they say, what they do, and who they are speak the gospel. And they answer the challenge to live a life that is "worthy of the gospel." Church personnel say to those with whom they minister and work, the words of St. Paul: "whatever is true, whatever is honorable, whatever is just, whatever is pure, whatever is lovely, whatever is gracious, if there is any excellence and if there is anything worthy of praise, think about these things. Keep on doing what you have learned and received and heard and seen in me. Then the God of peace will be with you."

## **APPENDIX A**

### **Archdiocese of Baltimore**

### **Harassment Policy**

#### **I. Policy**

The Archdiocese of Baltimore is committed to promoting a collegial and professional work environment in which all individuals are treated with respect and dignity consistent with Catholic social teaching. Accordingly, it is the policy of the Archdiocese to maintain a working environment free from discrimination and harassment on the basis of race, color, gender, national origin, religion, age, disability or handicap.

#### **II. Scope**

This Policy applies to all Archdiocesan employees serving in parishes, schools, Central Services, institutions, programs and ministries operating under the jurisdiction of the Archdiocese of Baltimore (with the exception of Catholic Charities which has a separate policy). The Archdiocese neither condones nor tolerates harassment, whether at the office, work assignments outside the office, employer-sponsored social functions, or in any work-related setting. Harassment of staff, whether engaged in by co-workers, supervisors, or non-employees, is prohibited. Violation of this Policy by an employee is grounds for disciplinary action up to and including termination, depending on the nature and severity of the offense and the employee's disciplinary record. Ordained ministers are also expected to observe the standards set forth in this Policy.

#### **III. Prohibited Conduct**

- A.** For purposes of this Policy, "harassment" means verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, gender, national origin, religion, age, disability or handicap that:
  - (i) Has the purpose or effect of creating an intimidating, hostile or offensive work environment;
  - (ii) Has the purpose or effect of unreasonably interfering with an individual's work performance; or
  - (iii) Otherwise adversely affects an individual's employment opportunities.
- B.** Harassing conduct includes, but is not limited to, epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, color, gender, national origin, religion, age, handicap or disability. "Sexual" harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is made a term or condition of employment, is used as the basis for employment

decisions, or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

#### **IV. Procedure**

- A.** Any employee who believes that he or she is being subjected to harassment should immediately report the harassment to any one or more of the following individuals: the employee's supervisor, the employee's Division Director, the Director of Human Resource Services, the Executive Director of the Department of Human Resources, or the Chancellor of the Archdiocese. Supervisors who receive reports of alleged harassment are expected to contact the Director of Human Resource Services for assistance in conducting the investigation.
- B.** Employees are encouraged to report harassment early, before it becomes severe or pervasive, so that preventive action can be taken. All complaints will be investigated promptly, thoroughly and impartially, and will remain confidential to the extent possible.
- C.** Any retaliation, reprisals, or intimidation, whether by the alleged harasser or from another source, directed toward the complaining party or anyone else as a result of the filing or investigation of a harassment complaint is considered a serious violation of this Policy and should be reported immediately.
- D.** Once the investigation is complete, Central Services administration will take immediate and appropriate corrective action when it determines that this Policy has been violated. The complaining party and the complained-of party will be advised of the investigation's findings and conclusions. A report of the findings will be forwarded to the Executive Director of the Department of Human Resources.

#### **V. Dissemination**

A copy of this Policy will be given to every current employee and to all ordained ministers at the time of its adoption. In addition, the Policy will be reviewed by all new employees at the time of hire and by all ordained ministers who are newly assigned in the Archdiocese of Baltimore.

## **APPENDIX B**

### **Archdiocese of Baltimore**

### **Student Harassment Policy**

#### **I. Policy**

It is the policy of the Archdiocese to prohibit discrimination, including harassment on the basis of race, color, gender, national origin, religion, age, disability or handicap or protected activity, (i.e. opposition to prohibited discrimination or participation in the complaint process) in its education programs and activities. Each Catholic school shall adhere to this policy with respect to students. (Employees are similarly protected from harassment by a separate Archdiocesan policy.)

#### **II. Scope**

This Policy applies to all students in Archdiocesan elementary, middle and secondary schools. The Archdiocese neither condones nor tolerates harassment of students at school, school-related activities or functions, or in any school-related setting. Harassment of students, whether engaged in by other students, teachers, administrators, or others, is prohibited. Violation of this Policy is grounds for disciplinary action up to and including termination of employment or suspension or expulsion from school, depending on the nature and severity of the offense and the individual's disciplinary record.

#### **III. Prohibited Conduct**

For purposes of this Policy, "harassment" means verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, national origin, religion, age, disability or handicap, or protected activity, that:

Has the purpose or effect of creating an intimidating, hostile or offensive environment;  
Has the purpose or effect of unreasonably interfering with an individual's performance; or  
Otherwise adversely affects an individual's educational opportunities.

Harassing conduct includes, but is not limited to, epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, color, gender, national origin, religion, age, handicap or disability. "Sexual" harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is used as the basis for educational decisions or has the purpose or effect of unreasonably interfering with an individual's academic performance or creating an intimidating, hostile or offensive environment.

***This policy should be included in each school's Student/Parent Handbook***



## **APPENDIX C**

### **Archdiocese of Baltimore**

### **Progressive Discipline**

The goal of progressive discipline is to improve an employee's job performance through increasingly formal feedback. Progressive discipline techniques can be applied to employees, whether contractual or "at will," and to volunteers. In many cases, the application of progressive discipline is successful in improving employee performance at an early stage. A typical progressive discipline approach includes:

- Documented verbal warning(s);
- Written warning(s);
- Disciplinary probation; and
- Termination.

Progressive discipline is a flexible approach that can involve other forms of corrective action as well. For example, performance evaluations and salary/wage reviews are opportunities to provide feedback to employees. A written corrective action plan could be developed in conjunction with written warnings or probation. In some cases, it is appropriate to suspend an employee pending investigation or administrative review of an incident.

Each step of progressive discipline should include all of the following elements:

- Notify the worker of area(s) in which his/her job performance is not meeting expectations;
- Specify what the worker needs to do to correct the problem(s);
- Indicate the potential consequences if the problem is not corrected; and
- Document the intervention, giving a copy to the worker and placing a copy in the worker's file.

While progressive discipline can be an effective supervisory tool for improving a worker's job performance, it is not necessary or appropriate to apply progressive discipline in all cases. For example, serious infractions may warrant immediate termination, without prior warnings or counseling. A supervisor may also decide to "skip" one or more stages of progressive discipline based on factors such as the nature and severity of the performance problem and the worker's history.

## **APPENDIX D**

### **Archdiocese of Baltimore**

### **Computer Use & Internet Policy**

#### **I. Overview**

The Internet is a worldwide telecommunications network of networks that links millions of users and computers. Government, corporate, commercial and educational entities are linked, permitting Internet users to easily access and share vast stores of information. The Internet is an important resource for the Archdiocese to provide better, cheaper and faster services to parishes and schools. The Archdiocese will creatively use the Internet to improve services and contribute broadly to the mission of the Church. The connection to the Internet and related facilities provided by the Archdiocese of Baltimore (the "Internet Facilities") exist to facilitate the official work of the Archdiocese.

The Internet Facilities are provided for employees and authorized persons affiliated with the Archdiocese for the efficient exchange of information and the completion of assigned responsibilities consistent with the mission of the Archdiocese. The use of the Internet Facilities by any employee or other person authorized by the Archdiocese (the "Users") must be consistent with this Policy (including all security and confidentiality provisions set forth therein).

#### **II. Policy**

This policy is intended to identify the principles of Acceptable Use and Unacceptable Use of the Internet Facilities; define Archdiocesan rights; address Enforcement and Violations provisions; and set forth the Employee Internet Access Disclosure Statement that employees granted access privileges will be required to acknowledge and sign.

#### **III. Principles of Acceptable Use**

Archdiocese of Baltimore Internet Users are required:

1. To respect the privacy of other Users; for example, Users shall not intentionally seek information on, obtain copies of, or modify files or data maintained by other Users, unless explicit permission to do so has been obtained;

2. To respect copyright and license agreements for software, digital artwork, and other forms of electronic data;
3. To protect data from unauthorized use or disclosure as required by state and federal laws and Archdiocesan regulations;
4. To respect the integrity of computing systems: for example, Users shall not use or develop programs that harass other Users or infiltrate a computer or computing system and/or damage or alter the software components of a computer or computing system;
5. To limit personal use of the Internet Facilities and equipment to that which is incidental to the User's official assignments and job responsibilities;
6. To safeguard their accounts and passwords. Accounts and passwords are normally assigned to single Users and are not to be shared with any other person without authorization. Users are expected to report any observations of attempted security violations.

#### **IV. Unacceptable Use**

It is not acceptable to use Archdiocese of Baltimore Internet facilities for activities unrelated to the mission of the Archdiocese, including:

1. For activities unrelated to official assignments and/or job responsibilities, except incidental personal use in compliance with this Policy;
2. For any illegal purpose;
3. To transmit, receive, or access threatening, libelous, defamatory, sexual, obscene or harassing materials or correspondence;
4. For unauthorized distribution of Archdiocese of Baltimore data and information;
5. To interfere with or disrupt network Users, services or equipment;
6. For private purposes, whether for-profit or non-profit, such as marketing or business transactions unrelated to Archdiocesan duties;
7. For any activity related to political causes;
8. To advocate religious beliefs or practices contrary to Roman Catholic teaching;
9. For private advertising of products or services;

10. For any activity meant to foster personal gain;
11. Revealing or publicizing proprietary or confidential information;
12. Representing opinions as those of the Archdiocese of Baltimore;
13. Uploading or downloading commercial software in violation of its copyright;
14. Downloading any software or electronic files without reasonable virus protection measures in place;
15. Intentionally interfering with the normal operation of any Archdiocesan Internet gateway.

## **V. Archdiocese of Baltimore Rights**

Pursuant to the Electronic Communications Privacy Act of 1986 (18 USC 2510 et seq), notice is hereby given that there are NO facilities provided by this system for sending or receiving private or confidential electronic communications. System administrators have access to all mail and User access requests, and will monitor messages as necessary to assure efficient performance and appropriate use. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.

The Archdiocese reserves the right to log network use and monitor file server space utilization by Users and assumes no responsibility or liability for files deleted due to violation of file server space allotments.

The Archdiocese reserves the right to remove a User account from the network.

The Archdiocese will not be responsible for any damages. This includes the loss of data resulting from delays, non-deliveries, or service interruptions caused by negligence, errors or omissions. Use of any information obtained is at the User's risk. The Archdiocese makes no warranties, either express or implied, with regard to software obtained from the Internet.

The Archdiocese reserves the right to change its policies and rules at any time. The Archdiocese makes no warranties (express or implied) with respect to Internet service, and it specifically assumes no responsibilities for:

The content of any advice or information received by a User through the Internet Facilities or any costs or charges incurred as a result of seeking or accepting such advice;

Any costs, liabilities or damages caused by the way the User chooses to use the Internet Facilities;

Any consequence of service interruptions or changes, even if these disruptions arise from circumstances under the control of the Archdiocese. The Archdiocesan Internet Facilities are provided on an as is, as available basis.

## **VI. Enforcement and Violations**

This policy is intended to be illustrative of the range of acceptable and unacceptable uses of Internet Facilities and is not necessarily exhaustive. Questions about specific uses related to security issues not enumerated in this policy statement and reports of specific unacceptable uses should be directed to the User's Division Director. Other questions about appropriate use should be directed to the User's supervisor. The Archdiocese will review alleged violations of the Internet Acceptable Use Policy on a case by case basis. Violations of the policy will result in disciplinary actions as appropriate, up to and including dismissal.

## Computer Access Disclosure Statement

Employees of and other authorized persons affiliated with the Archdiocese who are given computer access privileges will be asked to review and sign the following statement.

I \_\_\_\_\_ recognize and acknowledge that electronic communication channels developed and supplied by the Archdiocese of Baltimore as a condition of duties must be used according to terms and conditions set out by the Archdiocese. These channels include, but are not limited to, the following:

- Internet and the World Wide Web
- Computer-based online services
- Electronic mail and messaging systems
- Electronic bulletin board systems

I acknowledge that the distribution of any information through these and other channels supplied by the Archdiocese of Baltimore is subject to the scrutiny and approval of the Archdiocese, and that the Archdiocese reserves the sole right to determine the suitability and confidentiality of said information.

I also acknowledge that the Archdiocesan assets include many items, including but not limited to the following information types:

- Employee information
- Employee benefits and insurance information
- Databases and the information contained therein
- Computer and network access codes and similar or related information
- Contractual and proprietary information
- Research projects and all related information connected with research efforts
- Other confidential or proprietary information that has not been made available to the general public by the Archdiocese.

I further acknowledge that all information related to the accomplishment of the mission of the Archdiocese, including the information types referenced above and other tangible and intangible assets and other information obtained by me in the course of my duties are Confidential Information and the property of the Archdiocese. Further, such Confidential Information may be subject to trademark, copyright or similar protections.

I acknowledge that any disclosure of the Confidential Information, even inadvertent disclosure, may cause irreparable harm and material damage to the Archdiocese. Both during and after my employment or affiliation with the Archdiocese, and regardless of the reason for termination of such employment or affiliation, I agree (a) not to use or disclose the Confidential Information, other than solely in the furtherance of Archdiocesan business or as required by law; (b) to take all lawful measures to prevent the unauthorized use or disclosure of the Confidential Information to any third party; (c) to take all lawful measures to prevent unauthorized persons or entities from obtaining or using the Confidential

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Information; and (d) not to take any actions that would constitute or facilitate the unauthorized use or disclosure of Confidential Information.

The term "unauthorized" shall mean the following:

- In contravention of any written policies or procedures of the Archdiocese
- Otherwise inconsistent with Archdiocesan measures to protect its interests in its Confidential Information
- In contravention of any lawful instruction or directive, either written or oral, of an employee of the Archdiocese empowered to issue such instruction or directive
- In contravention of any duty existing under law or contract

I acknowledge that all of the items comprising the Confidential Information are confidential, whether or not the Archdiocese specifically labels such information as confidential or internally restricts access to such information.

I have read and will comply with the terms of the Computer Use and Internet Policy of the Archdiocese of Baltimore.

Date\_\_\_\_\_ Employee Signature \_\_\_\_\_

*The Archdiocese of Baltimore is committed to protecting children and youth, and to maintaining a professional, harassment free environment in which to work and volunteer. Parishes, schools, and other institutions work to promote a safe environment for all. Should you observe misconduct, or behavior that is questionable or suspicious, we ask that you immediately report that to the pastor/administrator, pastoral life director, principal, or director or call the Division of Human Resources at 410-547-5448.*

*The Archdiocese of Baltimore strictly complies with Maryland laws requiring reporting suspected child abuse to civil authorities. Under Maryland law any person who has reason to believe a child has been subjected to abuse must report the suspected abuse to civil authorities, even if the potential victim is now over 18 years old and even in cases where the alleged perpetrator is deceased. If someone associated with the Church, including clergy, employees, or volunteers in the Archdiocese of Baltimore, is suspected of abuse, then the suspected abuse must also be reported to the Archdiocese's Office of Child and Youth Protection at 410-547-5348 or the Victims Assistance Hotline at 866-417-7469.*